



SHREWSBURY  
DEVELOPMENT  
CORPORATION

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# SHREWSBURY DEVELOPMENT CORPORATION

## REQUEST FOR PROPOSALS

Exclusive Commercial Real Estate Brokerage Service

December 2009

Michael Hale  
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Shrewsbury, Massachusetts 01545

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## Contents

I.	Purpose of Request .....	1
II.	Time Schedule .....	1
III.	Property Description.....	1
IV.	Services Requested .....	2
V.	Instructions .....	3
VI.	Questions.....	5
VII.	Selection Criteria.....	6
	A. Minimum Evaluation Criteria .....	6
	B. Second Tier: Comparative Evaluation Criteria.....	6
VIII.	Terms and Conditions .....	8
	Appendix A – Certificate of Non-Collusion .....	10
	Appendix B – Certificate of Tax Compliance .....	11
	Appendix C – Respondent Entity Disclosure Statement   (page 1 of 3) .....	12
	Appendix D: Price Proposal Form .....	15

## I. PURPOSE OF REQUEST

The Shrewsbury Development Corporation (the "SDC") is requesting proposals for the purpose of selecting a Commercial Real Estate Broker to represent the SDC and the Town of Shrewsbury in marketing and negotiating assigned real estate properties. The RFP process has been chosen for this procurement because it will enable the SDC to give more consideration to the qualifications and experience of brokers whose background includes experience providing similar services to municipalities and non-profit organizations.

## II. TIME SCHEDULE

The SDC intends to adhere to the following general timetable, which should result in a selection of a broker by February 3, 2010.

Issue RFP	December 15, 2009
Closing Date for Questions	December 30, 2009
Closing Date for Submittal of Proposals	January 8, 2010
Interview Finalists	January 22, 2010
Notify Chosen Broker	February 3, 2010

This RFP is posted on the Town of Shrewsbury website at:  
<http://www.shrewsbury-ma.gov/egov/docs/1219950818204.htm>.

## III. PROPERTY DESCRIPTION

South Street Business Park is a 60-acre parcel formerly known as the "Allen Property." Originally a farm established in 1725 by the Allen family, it remained the Allen Homestead until 2003.

In 2002, the Town of Shrewsbury voted to purchase the land and create the Shrewsbury Development Corporation. The land was rezoned at the same Town Meeting. Thereafter, the Shrewsbury Development Corporation began its efforts to develop this prime piece of property.

Strategically located between Routes 9 and 20, the South Street Business Park provides easy access to Shrewsbury's popular Lakeway Business District, the city of Worcester, the neighboring towns of Northborough and Westborough, and Interstates 290, 190, and 495, with access to the Massachusetts Turnpike. The property is zoned for Office/Research and Flexible Development, which provide for best-fit uses of Office and Administration, Research and Development, Laboratory, Accessory Manufacturing, Training Centers, Healthcare, or Assisted Living. Since Shrewsbury has adopted the state's Expedited Permitting Law, M.G.L. c. 43D, the site can be permitted within six months.

South Street Business Park abuts the 400,000 sq. ft. Charles River Laboratories Center of Excellence Office and Research Facility. Across the street are the 500,000 sq. ft. administrative offices of the University of Massachusetts and the manufacturing facility of Seagate Technology. The Park's newest neighbor is Valeritas, a developer of medical technologies such as insulin delivery systems.

With easy access to Route 9 restaurants and businesses and MBTA commuter rail service only two miles away, the South Street Business Park is an ideal location for commuting employees. For employees looking to relocate, the Town of Shrewsbury is recognized as a premier place in which to live. It provides excellent town services, the recreational Lakeway district, and award-winning, high-performing public schools.

In 2008, the Town of Shrewsbury received a Chapter 43D planning grant and developed and approved the following:

1. Allen Property Master Plan
2. Flexible Development Overlay District zoning with best-fit uses:
  - Office and Administration
  - Research and Development
  - Laboratory
  - Accessory Manufacturing
  - Training Centers
  - Healthcare
  - Assisted Living
  - Limited Industrial
3. Conceptual Design including flexible build-out options
4. Preliminary Engineering Evaluations

These are available at [www.shrewsburydevelopment.com](http://www.shrewsburydevelopment.com).

#### IV. SERVICES REQUESTED

The Shrewsbury Development Corporation (the “SDC”) is seeking technical proposals from qualified firms interested in providing commercial real estate brokerage services relative to marketing the Town-owned South Street Business Park at 384 – 386 South Street in Shrewsbury, Massachusetts. This will be a two-year contract with an option to extend for two additional one-year terms. In general, the scope of services required will include the following:

1. Identify a team leader and marketing/brokerage team.
2. Provide timely market analysis and research, and pricing guidance to the SDC.
3. Develop and implement a marketing strategy resulting in buyers for the South Street Business Park which:
  - a) Create new, high-quality jobs;
  - b) Facilitate development that respects the interests of adjacent landowners; and
  - c) Increase and strengthen Shrewsbury’s commercial/industrial tax base.

4. Assist the SDC in positioning South Street Business Park for the most favorable disposition arrangements with qualified parties.
5. Provide access to broker networks, including listing on commercial listing websites.
6. Provide marketing materials (subject to review and approval by the SDC).
7. Attract national and local businesses and developers.
8. Forward offers to the SDC for consideration of sale or lease.
9. Negotiate with prospective buyers on behalf of the SDC.
10. Coordinate real estate transaction closing and handle all other customary activities and services associated with real estate transactions.

All brokerage services must be performed by a licensed broker in the Commonwealth of Massachusetts. Proposers acknowledge by the submission of their proposal that they are ready, willing, and able to enter into a contract with the SDC. In all matters concerning the brokerage services in this contract, compensation for work performed by the broker is derived from commissions for the sale or lease of the property and requires the absolute loyalty and fiduciary duty to the SDC.

## V. INSTRUCTIONS

Proposals must clearly demonstrate the depth of the respondent's knowledge, experience, and familiarity with commercial real estate and economic development. It is expected that each proposal will, at minimum, offer the services of an experienced, professional team of commercial brokers.

Proposals must be submitted in a package according to the instructions below. The packages shall consist of (a) a technical or non-price proposal and (b) a sealed price proposal. Since the SDC intends to evaluate proposals based on their technical merit before considering costs, there must be no reference to pricing in the technical proposal.

1. Proposals must be received by noon EST January 8, 2010. Late proposals will be rejected and returned, unopened, to the sender. If Town Hall is closed due to severe weather or for any other reason, proposals will be accepted until 12:00 noon on the next business day.
2. No fax, telephone, or e-mail proposal will be accepted.
3. One package must be addressed to:

Michael Hale, Town of Shrewsbury  
RFP Response - Commercial Real Estate Brokerage Service/SDC  
100 Maple Avenue  
Shrewsbury, MA 01545

and it must contain:

- An original and five copies of the technical proposal marked “Non-Price Proposal: RFP – SDC 2010-1”
  - An original and one copy of the price proposal in a sealed envelope marked “Price Proposal: RFP – SDC 2010-1”
4. Technical Proposal Contents; Minimum Requirements. The technical proposal must be submitted in a sealed envelope separate from the price proposal and marked “Non-Price Proposal: RFP SDC 2010-1,” and must include all of the following information.
- a) Cover letter including name, organization, and specific local market experience of the company.
  - b) The qualifications of the firm and the names, qualifications, and specific local market experience of the principal in charge and each individual who will work on the SDC’s account, including their areas of responsibility in servicing the account, e.g., administering and fulfilling the SDC contract, listing and marketing South Street Business Park, and maintaining primary contact with the SDC through Michael Hale, Assistant Town Manager, Town of Shrewsbury. Evidence of qualifications shall include, at minimum, resumes for all personnel to be assigned to the Shrewsbury account and evidence of a valid, current broker’s license from the Massachusetts Board of Registration of Real Estate Brokers and Salespersons.
  - c) Project team organizational chart.
  - d) A plan of services that includes an outline of a marketing plan, target price (including target lease-back rate), and proposed launch schedule for the property, and the rationale for the proposed plan.
  - e) A description of similar projects that the respondent has been involved with over the past five years, including the project name, the principals and personnel, and the project scope and services provided.
  - f) At least three references familiar with each of the similar projects listed above and the respondent’s role in the project, e.g. public officials in the project’s community, bankers, business representatives, developers, etc. The list must include the name, mailing address, telephone number, and email address of each reference and involvement (if any) in the project.
  - g) An estimated project schedule.
  - h) Comparative results of past sales:
    - Provide at least four past sales examples (both sold and on-going) of buildable land for which the principal or individual to be assigned to the Shrewsbury account is the listing agent/broker. For each example, provide a description of

the property, the date it was sold, relevant sales information, and how long it had been listed with the company prior to being sold. Sales information should include, at minimum: price, date, property address, land area, gross and net rental building square footage, any payment terms if applicable, and any revenue streams from the property at the time sold. References for each sale or project must be included.

- For each of the four sample sales above, provide two comparable transactions from your competitors. The comparable sales must be within the same market area and of same type of use, and must have occurred within 90 days of the sales of your listing. For each comparable sale, provide same sales information required above.
- i) Acceptance of terms/conditions for the SDC (see Terms and Conditions).
  - j) A description of general market research information that will be available to the SDC.
  - k) Information about other optional commercial real estate consultant services available, including appraisal, development, and/or special market research assistance. The proposed fees and method of compensation for such optional services must **not** be listed in the technical proposal. Instead, all cost information shall be identified in the Price Proposal as “Optional Services.” It is understood that such services shall not be an entitlement guaranteed by the contract. It shall be the SDC’s sole discretion whether to use the broker for such services.
  - l) A description of all terms and conditions for terminating a listing.
  - m) Identify and describe any defaults, penalties, liens, judgments against the proposer’s company within the past five (5) years.
  - n) **Certificate of Non-Collusion** (see Appendix A for the requirements)
  - o) **Certificate of Tax Compliance** (see Appendix B for requirements)
  - p) **Respondent Entity Disclosure Statement** (see Appendix C for the requirements)
5. Price Proposal Contents. The price proposal shall be in the form provided in Appendix D and must be submitted in a sealed envelope separate from the technical proposal and marked “Price Proposal: RFP SDC 2010-1”.

## VI. QUESTIONS

Questions should be submitted no later than noon on December 30, 2009 to Michael Hale, Assistant Town Manager for the Town of Shrewsbury only. E-mail submission of questions is preferable (mhale@th.ci.shrewsbury.ma.us), but questions will be accepted by mail or facsimile. The SDC will decide whether an answer can be given before the closing date, based on the

availability of time to research and communicate an answer. Responses to questions received will be distributed to all individuals or firms that requested the RFP.

## **VII. SELECTION CRITERIA**

All technical proposals will be reviewed by a Review Committee composed of the Assistant Town Manager, the Marketing Subcommittee of the SDC, and other appointees selected by the Town Manager. The proposal review process shall consist of two tiers. During the first tier, the Review Committee will review all submissions received by the deadline for conformance with the minimum evaluation criteria listed in Part A below. If the Review Committee determines that a proposal meets the minimum evaluation criteria, the proposal will be deemed responsive and responsible and it will advance to the second tier of review, at which time it will be rated and ranked under the Comparative Evaluation Criteria in Part B. Proposals that do not meet the minimum evaluation criteria will be removed from further consideration.

The SDC will select the responsive and responsible broker submitting the most advantageous proposal, taking into consideration the broker's experience, staff capacity, references, and plan of services as well as the proposal price.

### **A. MINIMUM EVALUATION CRITERIA**

A proposal must satisfy all of the following minimum evaluation criteria in order to be considered by the SDC.

1. The proposer has submitted a complete proposal that contains all of the information required under Section V "Instructions" of this RFP.
2. The proposer has at least **5** years of experience with commercial real estate and a valid, current broker's license from the Commonwealth of Massachusetts.
3. The proposer participates in the Massachusetts Commercial Information Exchange.

### **B. SECOND TIER: COMPARATIVE EVALUATION CRITERIA**

The purpose of the comparative evaluation criteria is to weigh the relative merits of all of the competing proposals that have been determined to be responsive and responsible. The Review Committee will review all of the responsive and responsible submissions against each of the comparative criteria and assign one of four values, as follows:

- "Highly Advantageous" (highest value)
- "Advantageous" (middle value)
- "Not Advantageous" (lowest value)
- "Unacceptable" (no value)

Once an evaluator has completed his review of a proposal against all of the comparative criteria, he will review all of the values assigned for the various criteria and then assign an "overall value" that he feels best represents that proposal's evaluation against all of the comparative criteria. If two or more proposals are determined to have the same overall value, the Review Committee as a group shall determine which proposal is the most advantageous to the SDC.



Price Proposals will be opened and reviewed after overall value has been determined.

### 1. Project Team

Highly Advantageous – The proposal clearly documents that all of the required services necessary to successfully complete all of the tasks in the scope of services can be provided by the employees of the proponent in-house (without the need to use outside labor, consultants, and/or subcontractors).

Advantageous – The proposal clearly documents that a majority of the required services necessary to successfully complete all of the tasks in the scope of services can be provided by the employees of the proponent in-house but that some services will be provided with the assistance of outside labor, consultants, and/or subcontractors.

Not Advantageous – The proposal clearly documents that some of the required services necessary to successfully complete all of the tasks in the scope of services can be provided by the employees of the proponent in-house but that the majority of services will be provided with the assistance of outside labor, consultants, and/or subcontractors.

Unacceptable - The proposal does not clearly document that any of the required services necessary to successfully complete all of the tasks in the scope of services will be provided by the employees of the proponent in-house (without the need to use outside labor, consultants, and/or subcontractors).

### 2. Experience

Highly Advantageous – The respondent has provided verifiable evidence of having provided commercial real estate brokerage services on at least five or more similar projects in the past five years.

Advantageous – The respondent has provided verifiable evidence of having provided commercial real estate brokerage services on at least three similar projects in the past five years.

Not Advantageous – The respondent has provided verifiable evidence of having provided commercial real estate brokerage services on at least two similar projects in the past five years.

Unacceptable - The respondent has provided verifiable evidence of having provided commercial real estate brokerage services on less than two similar projects in the past five years.

### 3. Marketing

Highly Advantageous – The proposal demonstrates the resources and ability to effectively market the selected properties to local, regional, and national businesses and developers.

Advantageous – The proposal demonstrates the resources and ability to effectively market the selected properties to local and regional businesses and developers.

Not Advantageous – The proposal demonstrates the resources and ability to effectively market the selected properties to local businesses and tenants.

Unacceptable – The proposal does not demonstrate resources or ability to effectively market the selected properties to local, regional, or national businesses and tenants.

## **VIII. TERMS AND CONDITIONS**

### **General**

This RFP does not commit the SDC to award a contract or contracts. The SDC reserves the right to accept or reject any or all proposals received as a result of this RFP; to negotiate with qualified proposers, or to cancel in part or in its entirety this RFP if it is determined to be in the best interests of the SDC and the Town to do so.

### **Incurred Expenses**

The SDC and Town of Shrewsbury are not responsible for any expenses which may be incurred by those answering this RFP in preparing and submitting proposals in response to this solicitation.

### **Conflicts of Interest**

Proposals shall identify any conflicts of interest and describe how it proposes to resolve these conflicts.

### **Ownership of Documents**

All proposals, response inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts, displays, schedules, exhibits and other documentation submitted by proposer shall become the property of the SDC when received.

### **Exclusive Brokerage and Compensation Exceptions**

Selected broker will represent the SDC as its exclusive broker. The SDC, however, reserves the right to sell the property without use of the selected broker in which case the SDC will not pay a commission.

The Town of Shrewsbury and the SDC have already begun discussions with potential buyers. The SDC reserves the right to exclude these persons/entities from brokerage services and therefore commission.

### **Co-Brokerage**

If a licensed real estate broker other than the selected broker is the effective procuring cause of any sale, the selected broker shall at selected broker's sole cost and expense compensate the cooperating broker on terms acceptable to broker and cooperating broker. The SDC and Town of Shrewsbury will have a contract with and compensate only the selected broker.

### **Insurance Requirements**

The selected broker shall provide proof of insurance for the following:

1. Automobile liability @ \$1,000,000 per occurrence;
2. Comprehensive general liability @ \$1,000,000 per occurrence/\$2,000,000 aggregate;
3. Workers Compensation @ statutory;

4. Disability benefits @ statutory;
5. Professional liability @ \$500,000.
6. Excess umbrella @ \$2,000,000 per occurrence/aggregate.

The contractor must provide to the SDC a certificate from the broker's insurance company naming the SDC and the Town of Shrewsbury as an additional insured.

## Appendix A – Certificate of Non-Collusion

Under Massachusetts General Laws C. 40, 4B 1/2, the following Certification must be provided:

“The undersigned certifies under the penalties of perjury that this proposal is in all respects bona fide, fair and made without collusion or fraud with any other person. As used in any of these sections the word “person” shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.”

(Please Print) \_\_\_\_\_  
Name of person signing proposal

\_\_\_\_\_  
Signature of person signing proposal      Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address & Zip Code

\_\_\_\_\_

No award will be made without vendor certification of the above.  
(Note: This form must be included in the proposal submission)

## Appendix B – Certificate of Tax Compliance

Date: \_\_\_\_\_

Pursuant to M.G.L. c. 62C, Section 49A, I certify under the Penalties of Perjury That I, To My Best Knowledge and Belief, Have Filed All Mass. State Tax Return and Paid ALL Mass. State and Local Taxes Required under Law.

Company Name

\_\_\_\_\_

Street and No.

\_\_\_\_\_

City or Town

\_\_\_\_\_

State \_\_\_\_\_ Zip Code \_\_\_\_\_

Tel. No. \_\_\_\_\_ Fax No. \_\_\_\_\_

Social Security No. or Federal Identification No.

\_\_\_\_\_

Certified by State Office of Minority and Women Business Assistance (SOMWBA)

Yes \_\_\_\_\_ Date of Certification \_\_\_\_\_

Failure to complete this form may result in rejection of bid.

\_\_\_\_\_  
Authorized Signature

(Note: This form must be included in the proposal submission)

## Appendix C – Respondent Entity Disclosure Statement

(page 1 of 3)

Give full names and residences of all persons and parties interested in the foregoing proposal:

(Note: Give first and last name in full; in case of Corporation give names of President, Treasurer and Manager; and in case of Firms give names of the individual members.)

NAMES	ADDRESSES	ZIP CODE
_____	_____	_____
_____	_____	_____
_____	_____	_____

Kindly furnish the following information regarding the Respondent:

1. If a Proprietorship

Name of Owner:

\_\_\_\_\_

ADDRESS	ZIP CODE	TEL. #
Business: _____	_____	_____
Home _____	_____	_____

2. If a Partnership

Full names and address of all partners:

NAMES	ADDRESSES	ZIP CODE
_____	_____	_____
_____	_____	_____
_____	_____	_____

  

BUSINESS ADDRESS	ZIP CODE	TEL. #
_____	_____	_____

3. If a Corporation

(page 2 of 3)

Full Legal Name:

\_\_\_\_\_

State \_\_\_\_\_ of \_\_\_\_\_ Incorporation:

\_\_\_\_\_

Principal Place of Business: \_\_\_\_\_ ZIP CODE \_\_\_\_\_

\_\_\_\_\_

Qualified in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts: \_\_\_\_\_ ZIP CODE \_\_\_\_\_ TEL. # \_\_\_\_\_

\_\_\_\_\_

Give the following information regarding Surety Company:

Full Legal Name of Surety Company:

\_\_\_\_\_

\_\_\_\_\_

State of Incorporation: \_\_\_\_\_

Principal Place of Business:

\_\_\_\_\_

Admitted in Massachusetts: Yes \_\_\_\_\_ No \_\_\_\_\_

Place of Business in Massachusetts: \_\_\_\_\_ ZIP CODE \_\_\_\_\_ TEL. # \_\_\_\_\_

\_\_\_\_\_

NOTE: The Office of the Attorney General, Washington, D.C. requires the following information on all proposals amounting to \$1,000.00 or more.

E.I. Number of Proposer \_\_\_\_\_

This number is regularly used by companies when filing their "EMPLOYER'S FEDERAL TAX RETURN," U.S. Treasury Department Form 941.

Authorized Signature of Proposer:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

(Note: This form must be included in the proposal submission)



## Appendix D: Price Proposal Form

**Important:** This form must be placed in a sealed envelope, marked "Price Proposal: RFP SDC 2010-1" and included in your response to the RFP.

### TOWN OF SHREWSBURY Exclusive Commercial Real Estate Brokerage Services/SDC

To: Shrewsbury Development Corporation

In response to the Request for Proposals entitled "REQUEST FOR PROPOSAL- SHREWSBURY DEVELOPMENT CORPORATION – Exclusive Commercial Real Estate Brokerage Services" dated December 2009, I offer the following price proposal:

Commission % to be retained of lease dollars on land leased: \_\_\_\_\_%

Commission % to be retained of sales price on parcels sold: \_\_\_\_\_%

\_\_\_\_\_ Broker agrees to share a portion of commission with a Cooperating Broker who bring a client to him.

\_\_\_\_\_ Broker agrees to forgo commission when buyer is not represented by Broker and buyer has not utilized Broker services(this acknowledgment covers 1.) prospective buyers that the Town may have engaged in dialogue with prior to a broker agreement and 2.) prospective buyers that contact the Town directly without broker representation. )

Fees for Optional Services Listed in Non-Price Proposal:

Optional Service (List)	Fee	Method of Compensation

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Address

\_\_\_\_\_  
Email

\_\_\_\_\_  
City/Town, State, Zip Code

WWW.SHREWSBURYDEVELOPMENT.COM